

TRANSMITTAL FOR U.S. PATENT APPLICATION  
UNDER 37 CFR §1.53(b)

**Box Patent Application**  
ASSISTANT COMMISSIONER  
OF PATENTS  
Washington, D.C. 20231

Attorney's Docket: 064441.0224

Sir:

Transmitted herewith for filing is the original patent application of:

Inventor: Franklin Dean Kalk

Title: *Alternating Aperture Phase Shifting Photomask With  
Improved Transmission Balancing*

Assignee: DuPont Photomasks, Inc., a Delaware corporation

Priority Data: **THIS APPLICATION CLAIMS THE BENEFIT OF U.S.  
PROVISIONAL APPLICATION NO. 60/621,038 FILED  
JANUARY 11, 2001**


Enclosed are:

- (1) 22 pages of Specification, Claims and Abstract;
- (2) 2 pages of Executed Declaration and Power of Attorney;
- (3) 3 pages of Informal Drawings;
- (4) 1 page of an Assignment of the invention to DuPont Photomasks, Inc.;
- (5) 1 page of separate cover sheet in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h);
- (6) 1 page Certificate of Mailing by Express Mail; and
- (7) This Transmittal Form with attached patent application filing fee in the amount of \$896.00.

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee \$740.00
Total Claims	24	-20	4	X \$18 =	\$ 72.00
Independent Claims	4	-3	1	X \$84 =	\$ 84.00
TOTAL FILING FEE =					\$896.00

Enclosed is a check in the amount of \$896.00 for filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
Brian E. Szymczak  
Registration No 47,120

Date: 1/11/02

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		Sole Inventor	Franklin Dean Kalk
		Title	<b><i>Alternating Aperture Phase Shifting Photomask With Improved Transmission Balancing</i></b>
		Atty Docket Number	064441.0224

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/11/02  
Date

  
Signature

Brian E. Szymczak  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Franklin Dean Kalk  
Date Filed: January 11, 2002  
Title: ALTERNATING APERTURE PHASE  
SHIFTING PHOTOMASK WITH IMPROVED  
TRANSMISSION BALANCING

Box Patent Application  
Honorable Assistant Commissioner  
of Patents  
Washington, D.C. 20231

Dear Sir:

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that the attached Transmittal, Patent Application, Form PTO 1595 Recordation Cover Sheet with Assignment, Declaration and Power of Attorney and Informal Drawings are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 11th day of January, 2002, and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

  
\_\_\_\_\_  
Amy Rueff

Express Mail Receipt  
No. EL 740055868 US  
Attorney's Docket:  
064441.0224